

**REMARKS**

Claims 45-52 and 56 are pending in this application, of which claims 45 and 50 have been amended. No new claims have been added.

Claims 45, 50 and 52 stand rejected under 35 USC §102(e) as anticipated by U.S. Patent 5,484,992 to Wilz et al. (hereinafter "**Wilz et al.**").

Applicants respectfully traverse this rejection.

**Wilz et al.** discloses a fully automatic bar code symbol reading system having a hand-supportable laser bar code reading device. Figs. 10, 16, 17A and 18 show a base pivotably mounting a holder 3 for a grip of an optical reader, but fails to show an arrangement in which only one end of the grip is insertably mounted in the holder.

Accordingly, claim 45 has been amended to recite this distinction.

Furthermore, **Wilz et al.** fails to disclose a stand member for mounting an optical reader so that the grip extends laterally beyond a lateral side of the stand member, as shown in Fig. 65A of the instant application.

Accordingly, claim 50 has been amended to recite this distinction.

Thus, the 35 USC §102(e) rejections should be withdrawn.

Claims 46, 47 and 49 stand rejected under 35 USC §103(a) as unpatentable over **Wilz et al.** in view of U.S. Patent 4,766,297 to McMillan (hereinafter "**McMillan**").

Applicants respectfully traverse this rejection.

As noted in Applicants' response of December 1, 2000, **McMillan** discloses a scanning

U.S. Patent Application Serial No. 09/227,529

system 10 having a base 14 for holding a portable hand-held scanning device 12. The base 14 holds the barrel portion 24 of the scanning device 12 such that the scanning device 12 faces downward.

McMillan, like Wilz et al., fails to disclose that the holder section insertably mounts only one end of the grip portion of the optical reader, as recited in the proposed amendments to claim 45, from which these claims depend.

Thus, the 35 USC §103(a) rejection should be withdrawn.

Claim 56 has been indicated as allowable and claim 51 has been indicated as allowable if rewritten in independent form. Applicants respectfully defer this until a FINAL Office Action, if any, is received.

In view of the aforementioned amendments and accompanying remarks, claims 45-52 and 56, as amended, are in condition for allowance, which action, at an early date, is requested.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 09/227,529

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI,  
McLELAND & NAUGHTON, LLP



William L. Brooks  
Attorney for Applicants  
Reg. No. 34,129

Atty. Docket No. 960569C  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
Tel: (202) 659-2930  
WLB:mlg

Enclosures: Version With Markings To Show Changes Made

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Claims:**

Claims 45 and 52 have been amended as follows:

45. (Amended) A stand on which an optical reader, which has a read window through which scanning light is emitted and a grip enabling a user to grasp said optical reader, and which scans a mark borne by an article using scanning light emitted through said read window, detects light reflected from said mark, and thus reads information, is mounted, comprising:

a holder section in which only one end of said grip is insertably mounted so that said grip can be dismounted freely; and

a base for supporting said holder section so that said holder section can pivot;

said holder section having a slit, through which a cable coupled with said optical reader can pass, on the same side thereof as the side of said optical reader having said read window.

50. (Twice Amended) A stand on which an optical reader, which includes a read window through which scanning light is emitted and a grip enabling a user to grasp said optical reader, and which scans a mark borne by an article using scanning light emitted through said read window, detects light reflected from said mark, and thus reads information, is mounted, comprising:

a stand member on which said optical reader is mounted in such a manner that said grip

U.S. Patent Application Serial No. 09/227,529

of said optical reader extends laterally beyond a lateral side of said stand member.